

Position Paper #3

International cooperation and governance of migration in all its dimensions including at borders, on transit, entry, return, readmission, integration and reintegration

Republic of Korea

Effective and well-managed migration governance is important to facilitating regular migration and discouraging the use of irregular pathways. The Republic of Korea, a country accommodating more than 2 million foreigners in its territory, is striving to improve national migration frameworks, while joining regional and international efforts towards establishing sound international migration governance.

National framework on border management

Effective national migration systems are the foundations for international migration governance. To improve national migration framework, the Korean government has made various efforts including implementation of Smart Entry Service (SES), purporting to automate immigration clearance service for both its nationals and immigrants. The Government introduced the SES in 2008 and made it available to immigrants in 2010. It expanded the coverage again in 2016 from migrants residing in Korea for more than 3 years after obtaining permanent resident status to all registered migrants of over 17 years of age. Korea will continue to increase facilities for the SES to further expedite the movement of migrants crossing borders.

Orderly migration, including social inclusion, return and readmission

Social Inclusion

One of the keys to orderly migration is to foster social inclusion of migrants by providing would-be migrants with access to information about the opportunities available to them.¹ The Korean government is implementing systematic policies in partnership with multi-stakeholders to support social integration of immigrants. For instance, education institutes certified by the Government help marriage immigrants and migrant workers to learn about the country and develop skills before their entry. In addition, universities and sub-national authorities designated by the Government are running Initial Adjustment Support Program, which provides migrants with information on basic laws and system in Korea. Also, the Government has Korea Immigration and Integration Program (KIIP) to help long-term foreign residents to further understand the Korean society and culture.

¹ Para. 60 of the SRSR Report (A/71/728)

Return and readmission

Acknowledging that return and readmission are essential elements to well-ordered migration system², the Korean government is committed to realizing safe and speedy return and reintegration of migrants. We also recognize that proper readmission assistance strengthens the linkage between migration and development by helping migrants to participate in the development of their home countries with the skills and experience they learned in Korea. In addition, the Korean government is planning to introduce a Migration and Development Program through inter-Ministerial cooperation to enhance migrants' sustainable return and reintegration to their home countries.

It is a State's right to determine whom to admit to its territory and whom to return to their countries of origin³. However, return must be consistent with our obligations under international human rights law and in compliance with the principle of non-refoulement. States, be it a country of transit or of destination, should not return migrants who are certain to face inhumane treatment when returned. The Korean government clearly sets out the principle of non-refoulement in the Refugee Act⁴. In addition, the Government has the system which ensures migrants whose application for asylum is denied after a fair and adequate hearing be returned through due process of law in a transparent and orderly way.

Regional and international cooperation

We believe that regional and international cooperation is important, as they can fill many gaps that states cannot address alone. Korea ratified the United Nations Convention against Transnational Organized Crime and its three supplementary protocols (Palermo Protocols)⁵ in 2015. The country is also participating in the Bali Process, a forum to raise regional awareness on people smuggling, trafficking in persons and related transnational crime. These frameworks help enhance international cooperation to combat trafficking in persons and other related transnational crimes against migrants and protect them, especially those in vulnerable situations on their journey across international borders. /END/

² Para. 38 of the SRSG Report (A/71/728)

³ Para. 58 of the New York Declaration (A/71/1)

⁴ Article 3 of Refugee Act (no. 14408)

⁵ Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime